

**AMENDMENTS TO THE DRAWINGS**

The attached sheet of drawings includes changes to FIG. 1 .

Attachment:        Replacement sheet 1 including FIG. 1

## **REMARKS**

Reconsideration is respectfully requested.

### **I. STATUS OF THE CLAIMS**

Claims 1 – 13 are presently pending in the application. Applicant cancels claims 2 – 5 without prejudice or disclaimer, and amends claims 1 and 6 - 13. No new matter is introduced.

### **II. OBJECTION TO DRAWINGS**

FIG. 1 is objected to as failing to depict digital to analog converter 8, which is described for example at page 4, lines 12 – 16 of the specification. Applicant submits replacement drawing sheet 1 including revised FIG. 1, which depicts digital to analog converter 8 in relation to appliance 1, motor 3, triac 4, tachometer 5 and controller 7

Therefore, Applicants respectfully request that replacement sheet 1 be accepted and entered, and that the objection to FIG. 1 be withdrawn.

### **III. REJECTIONS UNDER 35 U.S.C § 112**

Applicant thanks the Examiner for indicating that claims 2 – 13 are objected to as depending from rejected base claim 1, but that each would be allowable if rewritten to include all of the limitations of rejected base claim 1 and any intervening claims. As claims 2 – 5 have been canceled without prejudice or disclaimer, the objections as to claims 2 – 5 are moot. As further described below, in the interests of prosecution efficiency, rejected base claim 1 has been amended to essentially include each of the limitations of canceled claims 2, 4 and 5. As canceled claims 2, 4 and 5 were found to include allowable subject matter, Applicant respectfully submits that amended independent claim 1 is allowable. As claims 6 – 13 depend from allowable independent claim 1, Applicant further submits that dependent claims 6 – 13 are also allowable for at least this reason.

Therefore, Applicant respectfully request that the objections to claims 6 – 13 be withdrawn.

#### **IV. REJECTIONS UNDER 35 U.S.C §§ 102, 103**

Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,633,149 to Foureys ("Foureys"). Alternatively, claim 1 is rejected under 35 U.S.C. § 103(a) as being obvious in view of Foureys. Applicant traverses this rejection.

In the interests of prosecution efficiency, Applicant amends claim 1 to essentially include each of the limitations of canceled claims 2, 4 and 5. As canceled claims 2, 4 and 5 were found to include allowable subject matter, Applicant respectfully submits that amended claim 1 stands in condition for allowance for at least this reason.

Therefore, Applicant respectfully requests that the rejections of claim 1 under 35 U.S.C. §§ 102(b), 103(a) be withdrawn.

### CONCLUSION

In view of the above discussion, applicant believes the pending application is in condition for allowance. It is believed that all of the stated grounds of rejections have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

In the event that an extension of time is required, or may be required in addition to that requested in a petition of extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely. The Commissioner is hereby authorized to charge any unpaid fees deemed required in connection with this submission or to credit

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Respectfully submitted,

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Attachments

Application No. 10/598,526  
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**REPLACEMENT SHEET**